

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

KENNETH B. ROYE, )  
Plaintiff, )  
vs. ) CIVIL ACTION NO. 05-0024-P-C  
JO ANNE B. BARNHART, Commissioner )  
of Social Security, )  
Defendant. )

ORDER ADOPTING THE REPORT AND  
RECOMMENDATION OF THE MAGISTRATE JUDGE

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made pursuant to 28 U.S.C. § 636(b)(1)(B) and dated January 12, 2006 (doc.21), is hereby ADOPTED as the opinion of this court.

Accordingly, it is ORDERED that the Report and Recommendation be and is hereby ADOPTED as the opinion of this court and that plaintiff's Application For Attorney Fees Under Equal Access to Justice Act, 28 U.S.C. § 2412 (doc.18), be and is hereby GRANTED, and that plaintiff's counsel, Byron A. Lassiter, be awarded an attorney's fee in the amount of \$1,912.50 (15.3 hours x \$125.00 per hour = \$1,912.50).

DONE this 2<sup>nd</sup> day of February, 2006.

S/Virgil Pittman  
SENIOR UNITED STATES DISTRICT JUDGE